

ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of

C. STAPPER, et al.

Examiner: Not Yet Assigned

Application No.:

10/789,323

Art Unit: 1615

Filed:

February 27, 2004

Title: Arylcycloalkyl derivatives having branched side chains, processes for their preparation and their use a pharmaceuticals

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 16, 2005

Date of Deposit

Bonnie Stein
Signature

Bonnie Stein

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☒ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

- ☐ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
- ☐ (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

Based on the new USPTO procedures, it is not required to submit copies of U.S. patents and U.S. publications for all applications filed after June 30, 2003. Therefore, a copy of the 6(six) U.S. Patent Documents listed on the attached PTO-1449 form are not enclosed with this Information Disclosure Statement.

Respectfully submitted,



Barbara E. Kurys, Reg. No. 34,650
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-2965
Telefax (908) 231-2626
Aventis Docket No. DEAV2003/0016US NP

☒

+

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known

Application Number	10/789,323
Filing Date	02-27-2004
First Named Inventor	STAPPER
Group Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	DEAV2003/0016 - US - NP

(use as many sheets as necessary)

Sheet	2	of	7
-------	---	----	---

[illegible]

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	00/78312 A1		SAHOO et al	12-28-2000		
		WO	01/04146 A2		OLSEN et al	01-18-2001		
		WO	01/09111 A1		BRINER et al	02-08-2001		
		WO	01/21602 A1		CHENG et al	03-29-2001		
		WO	01/40169 A1		HALLGREN et al	06-07-2001		
		WO	01/40171 A1		BOIJE et al	06-07-2001		
		WO	01/72290 A2		DEMUTH et al	10-04-2001		
		WO	01/81327 A1		OONODA et al	11-01-2001		
		WO	01/83451		IKUTA et al	11-08-2001		
		WO	01/85695 A1		LI et al	11-15-2001		

Date
Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

☒

+

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Sheet	3	of	7
-------	---	----	---

Application Number	10/789,323
Filing Date	02-27-2004
First Named Inventor	STAPPER
Group Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	DEAV2003/0016 - US - NP

[illegible]

FOREIGN PATENT DOCUMENTS								
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	01/91752 A1		BAKSHI et al	12-06-2001		
		WO	01/94300		DEFOSSA	12-13-2001		
		WO	02/064549 A1		HAYWARD et al	08-22-2002		
		WO	02/096864		DEFOSSA	12-05-2002		
		WO	02/38541 A1		FUKUSHIMA et al	05-16-2002		
		WO	02/46146 A1		TAKAHASHI et al	06-13-2002		
		WO	02/50027		GLOMBIK	06-27-2002		
		WO	03/004458 A1		GUSTAVSSON et al	01-16-2003		
		WO	03/020269		GLOMBIK	03-13-2003		
		WO	03/040174 A2		DEMUTH et al	05-15-2003		

Date
Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

☒

+

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known

Application Number	10/789,323
Filing Date	02-27-2004
First Named Inventor	STAPPER
Group Art Unit	1615
Examiner Name	Not Yet Assigned
Attorney Docket Number	DEAV2003/0016 - US - NP

Sheet	4	of	7
-------	---	----	---

Attorney Docket Number	DEAV2003/0016 - US - NP
------------------------	-------------------------

[illegible]

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁸
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	03/066581 A1		HENRY et al	08-14-2003		
		WO	03/084922		DEFOSSA	10-16-2003		
		WO	03/084923		DEFOSSA	10-16-2003		
		WO	03/104188		SCHOENAFINGER	12-18-2003		
		WO	94/18183		BRIEADDY et al	08-18-1994		
		WO	94/18184		BRIEADDY et al	08-18-1994		
		WO	96/38428		MAEDA et al	12-05-1996		
		WO	97/26265		NIELSEN et al	07-24-1997		
		WO	97/41097		LOHRAY et al	11-06-1997		
		WO	98/08871		KNUDSEN et al	03-05-1998		

Date Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

☒

+

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/789,323
				Filing Date	02-27-2004
				First Named Inventor	STAPPER
				Group Art Unit	1615
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	DEAV2003/0016 - US - NP
Sheet	5	of	7		

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

+

Please type a plus sign (+) inside this box → ☒

PTO/SB/08B (10-96)
Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/789,323	
			Filing Date	02-27-2004	
			First Named Inventor	STAPPER	
			Group Art Unit	1615	
			Examiner Name	Not Yet Assigned	
Sheet	6	of	7	Attorney Docket Number	DEAV2003/0016 - US - NP

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ASAKAWA A et al., Cocaine-Amphetamine-Regulated Transcript Influences Energy Metabolism Anxiety and Gastric Emptying in Mice, Hormone and Metabolic Research; Vol. 33(9); 2001; pp 554-558	
		BERGER Joel et al., The Mechanisms of Action of PPARs, Annul. Rev. Med.; Vol. 53; 2002; pp 409-435	
		FRUCHART Jean-Charles et al., PPARs, Metabolic Disease and Atherosclerosis, Pharmacological Research; Vol. 44, No. 5; 2001' pp 345-352	
		KERSTEN Sander et al., Roles of PPARs in Health and Disease, Nature; Vol. 405; May 25, 2000; pp 421-424	
		KLIEWER Steven A et al., Peroxisome Proliferator-Activated Receptors: From Genes to Physiology, Recent Prog. Horm Res.; Vol. 56; 2001; pp 239-263	
		LEE Daniel W et al., Leptin agonists as a potential approach to the treatment of obesity, Drugs of the Future; Vol. 26(9); 2001; pp 873-881	
		MOTOJIMA Kiyoto, Peroxisome Proliferator-Activated Receptor (PPAR): Structure, Mechanisms of Activation and Diverse Functions, Cell Structure and Function; Vol. 18; 1993; pp 267-277	
		OKADA Hiroshi et al., Synthesis and Antitumor Activities of Prodrugs of Benzoylphenylureas, Chem. Pharm. Bull.; Vol. 42(1); 1994; pp 57-61	
		PINEDA TORRA Ines et al., Peroxisome Proliferator-activated Receptors: from Transcriptional Control to Clinical Practice, Curr. Opin. Lipidol; Vol. 12; 2001; pp 245-254	
		PINEDA TORRA Ines et al., Peroxisome proliferator-activated receptor alpha in metabolic disease, inflammation, atherosclerosis and aging, Curr. Opin. Lipidol; Vol. 10; 1999; pp 151-159	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

